

HOUSE BILL No. 1122

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-15-1-2; IC 13-15-4.5.

Synopsis: Discharge of water by oceangoing vessels. Requires the water pollution control board to establish permit requirements for the discharge of water by oceangoing vessels in Indiana ports that ensure aquatic nuisance species will not be discharged. Requires an oceangoing vessel to obtain a permit from the department of environmental management before discharging water in an Indiana port.

Effective: July 1, 2006.

Budak, Ayres, Cheney

January 5, 2006, read first time and referred to Committee on Environmental Affairs.

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Introduced

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1122

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-15-1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. The water pollution
3 control board shall establish requirements for the issuance of permits
4 to control water pollution and atomic radiation, including the
5 following:

6 (1) Permits to control or limit the discharge of any contaminants
7 into state waters or into a publicly owned treatment works.

8 (2) Permits for the construction, installation, or modification of
9 facilities, equipment, or devices to control or limit any discharge,
10 emission, or disposal of contaminants into the waters of Indiana
11 or into a publicly owned treatment works.

12 (3) Permits for the operation of facilities, equipment, or devices
13 to control or limit the discharge, emission, or disposal of any
14 contaminants into the waters of Indiana or into a publicly owned
15 treatment works.

16 **(4) Permits for the discharge of water from oceangoing vessels**
17 **in an Indiana port.**



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However, the water pollution control board may not require a permit under subdivision (2) for any facility, equipment, or device constructed, installed, or modified as part of a surface coal mining operation that is operated under a permit issued under IC 14-34.

SECTION 2. IC 13-15-4.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

Chapter 4.5. Discharge of Water from Oceangoing Vessels

Sec. 1. As used in this chapter, "aquatic nuisance species" refers to an aquatic plant or animal species that:

- (1) is not native to Indiana waters; and**
- (2) causes damage to a plant species or an animal species that is native to Indiana waters.**

Sec. 2. After June 30, 2007, an oceangoing vessel that engages in port operations in an Indiana port must obtain a permit from the department before discharging water from the vessel.

Sec. 3. To obtain a permit under section 2 of this chapter, an applicant must demonstrate that the oceangoing vessel uses environmentally sound technology and methods, as determined by the department, when discharging:

- (1) ballast water; or**
 - (2) other waste or effluents;**
- to prevent the discharge of aquatic nuisance species.**

Sec. 4. In adopting rules to carry out this chapter, the board shall cooperate to the fullest extent practical with:

- (1) other Great Lakes basin states;**
- (2) the Canadian Great Lakes provinces;**
- (3) the Great Lakes panel on aquatic nuisance species;**
- (4) the Great Lakes fishery commission;**
- (5) the International Joint Commission; and**
- (6) the Great Lakes Commission;**

to ensure the development of standards for the control of aquatic nuisance species that are broadly protective of Indiana waters and other natural resources.

SECTION 3. [EFFECTIVE JULY 1, 2006] (a) The water pollution control board shall adopt the rules described under IC 13-15-1-2(4), as amended by this act, not later than June 30, 2007.

(b) The department of environmental management shall begin to issue permits under IC 13-15-4.5, as added by this act, not later than July 1, 2007.

(c) This SECTION expires July 2, 2007.

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